



The Oregon Forest Practices Act

*An Introduction for the
Clatsop County
Citizens
Advisory Council
To
Comprehensive Plan
Review*

October 2019



**Reasonably Concurrent Landmark
Oregon Legislation**

1971 – Oregon Forest Practices Act

**1973 – Oregon Land Conservation
and Development Act
(SB 100 & SB 101)**

These two concepts are integrated

Urban Growth Boundaries....

1995

1973

**Oregon Land
Conservation and
Development Act
(SB 100)**

Forest Land Area has been
conserved – here is Corvallis....

Google earth

Generally aware of natural resources

Goal 4 –

Conserve Forests

Same Picture –
30 years later

2014

**Acreage of Forest Land has
held
steady for 30 years.**

Google earth



Oregon Department of Forestry :
State Forester – Since 1911 –
All matters relating to the forests

Three Divisions of the Agency on the Land

- **Protection from Fire**
- **State Forests**
- **Private Forests Program**

- **Also – Partnerships with Federal Lands**

Oregon Department of Forestry :



- Board of Forestry oversight
- Board appointed by Governor
- Board makes rules, approves plan of Department
- Hires State Forester to look after all matters relating to the forests of Oregon

Oregon Board of Forestry – October 2019



Tom Imeson,
Chair
Portland,
OR



Nils Christoffersen
Enterprise, OR



Cindy Deacon Williams
Medford,
OR



Mike Rose
Elkton,
OR



Jim Kelly
Kimberly,
OR



Brenda McComb
Philomath,
OR



Joe Justice
La Grande,
OR

Oregon State Forester
Peter J. Daugherty

Selected by the Board of Forestry as Oregon's 13th State Forester on September 7, 2016,





The Private Forest Program delivers a range of services to forestland owners. Administers the Forest Practices Act (though not on State Forest Lands)

The goal is to maintain and enhance the economic, social and environmental benefits derived from Oregon's forests.



The Private Forest Program administers the

Oregon Forest Practices Act

A regulatory framework of Statutes and prescriptive administrative rules intended to provide for the continuous growing and harvesting of forest products, while maintaining and protecting soil, air, water and fish and wildlife resources.

**HOW IS IT ORGANIZED ? HOW IS IT ADMINISTERED ?
Where does it apply? What does it protect ?**

“BEST MANAGEMENT PRACTICES AND POLLUTION PREVENTION”

Best management practices are inherently pollution prevention practices. Traditionally, BMPs have focused on good housekeeping measures and good management techniques intending to avoid contact between pollutants and water media as a result of leaks, spills, and improper waste disposal.

However, based on the authority granted under the regulations, BMPs may include the universe of pollution prevention encompassing production modifications, operational changes, materials substitution, materials and water conservation, and other such measures.

EPA – 8-B-93-004

Private Forest 

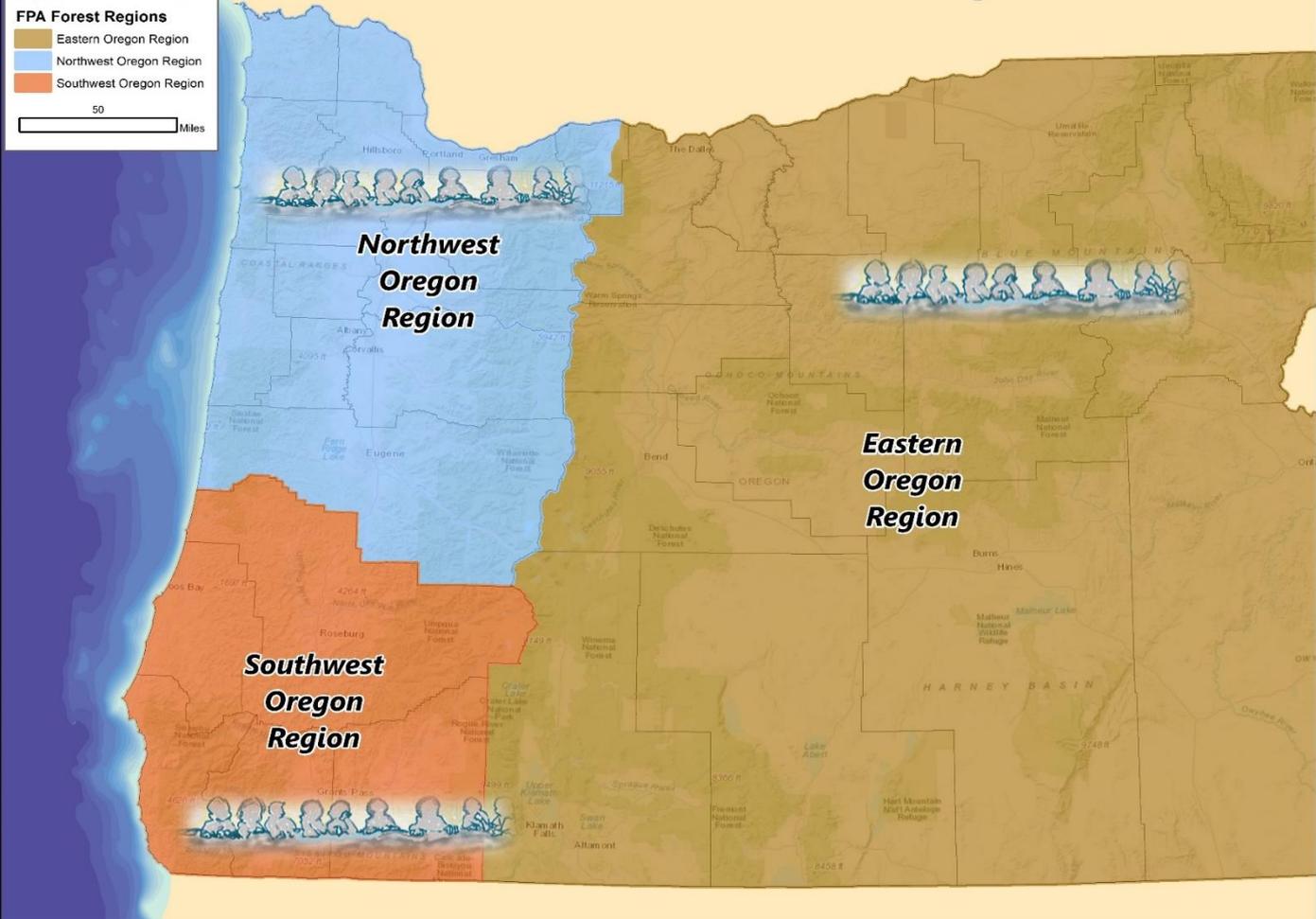
Legend

FPA Forest Regions

- Eastern Oregon Region
- Northwest Oregon Region
- Southwest Oregon Region

50 Miles

Forest Practices Act Forest Regions



REGIONAL Forest Practices Committees

Nine members each.

Appointed by BOF to 3 yr. terms.

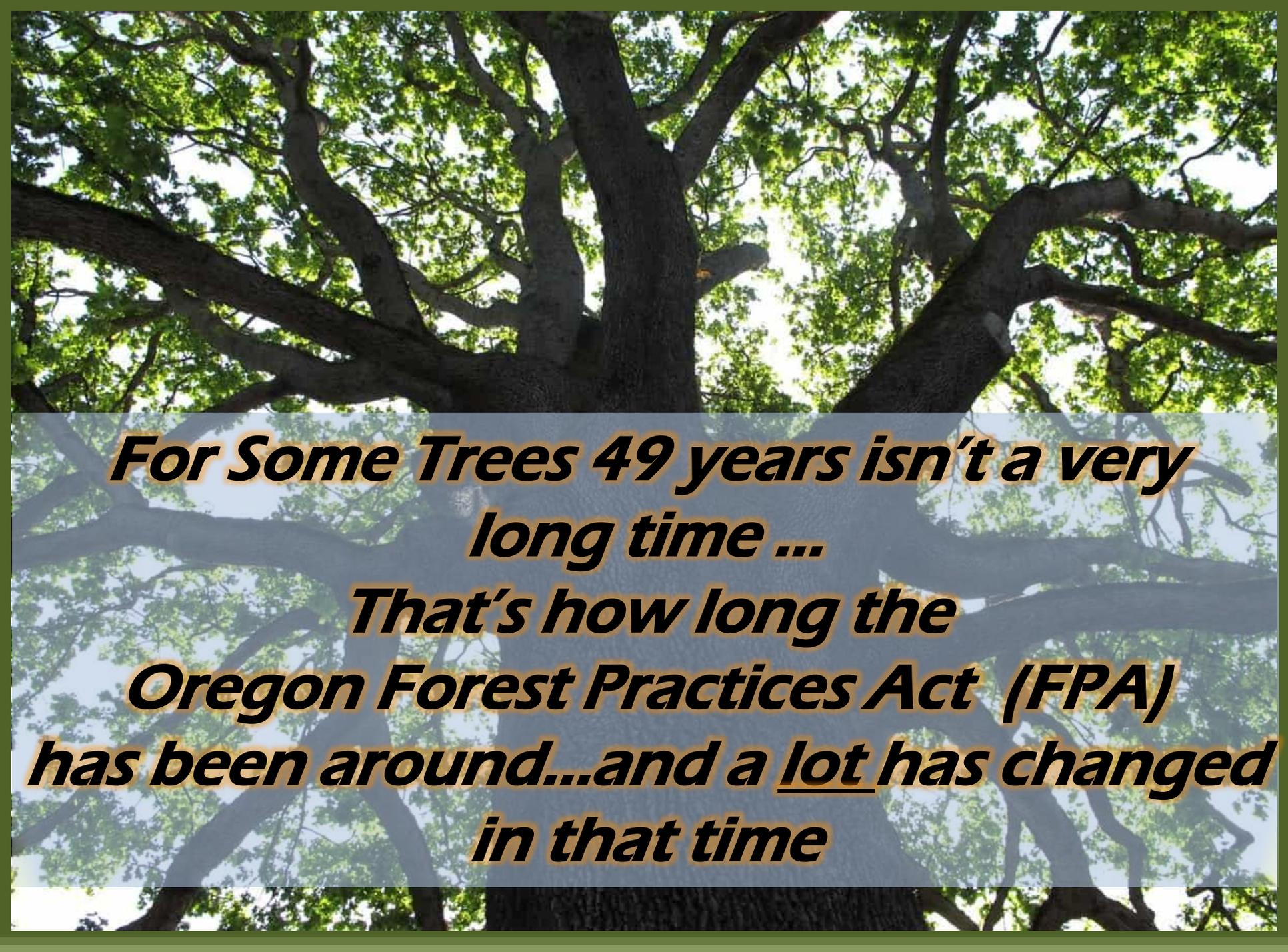
Must have pertinent Education/Experience.

2/3 are Private Landowners, Timber Owners or Operators who regularly engage in operations.

Committees Review Rule and advise the Board of Forestry

REGIONAL COMMITTEES

(ORS 527.650(1)(2)(3))



***For Some Trees 49 years isn't a very
long time ...***

***That's how long the
Oregon Forest Practices Act (FPA)
has been around...and a lot has changed
in that time***

Governor John Kitzhaber – Oregon salmon recovery –

Oregon Plan for Salmon & Watersheds
Systematic Review of Science

**Decades
Of
Endeavor
By a cast of thousands**



Oregon State Forester James Brown
Stream Protection Standards
Adaptive Management
Forestry Program for Oregon



STANDARDS OF PRACTICE FOR OPERATIONS ON FOREST LANDS

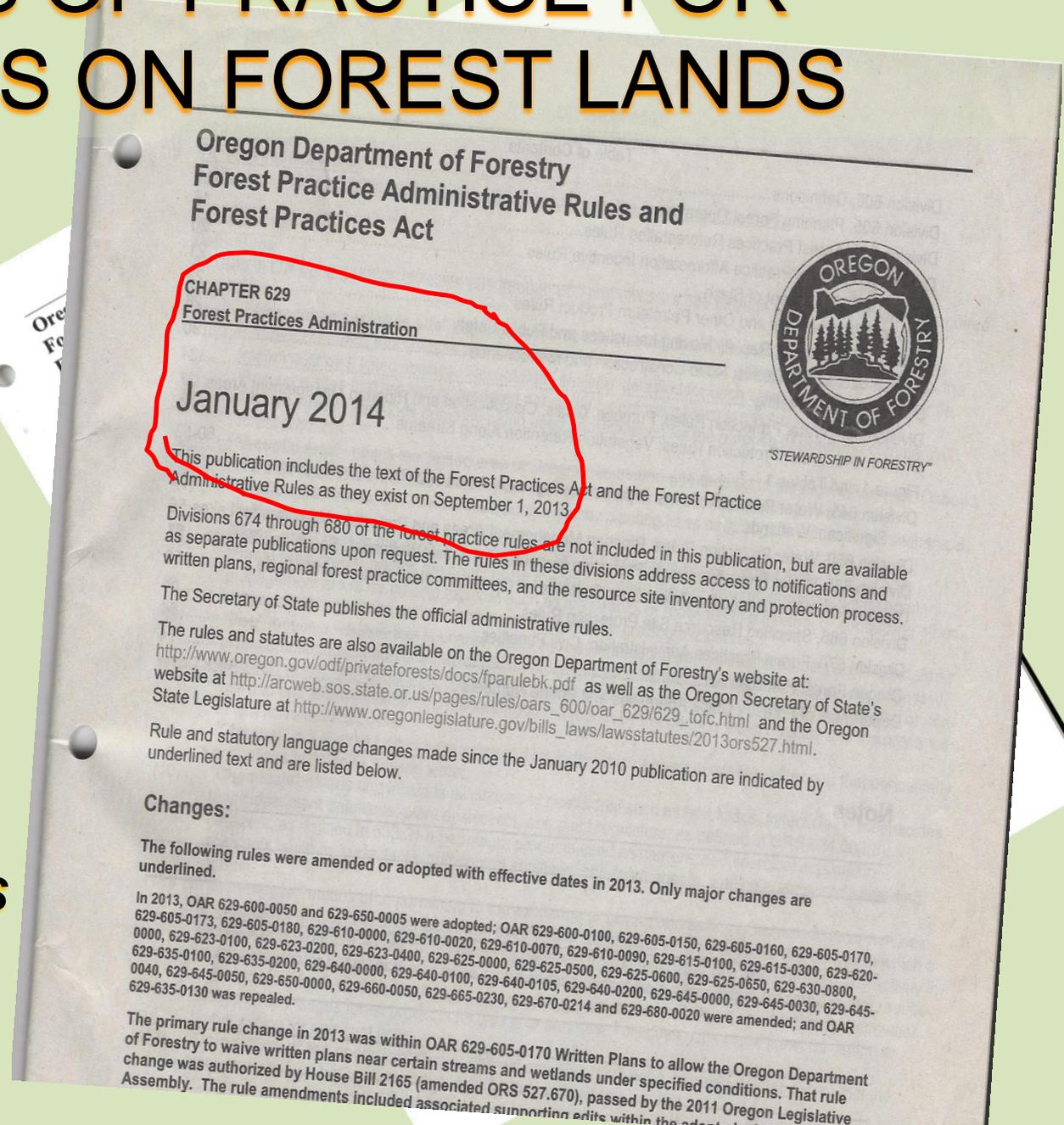
1971

Oregon enacted the

“OREGON FOREST PRACTICES ACT”

FOREST PRACTICE ADMINISTRATIVE RULES AND STATUES

**A dynamic process –
Several significant
Changes over time.**



Oregon's Timber Producing Forests are busy

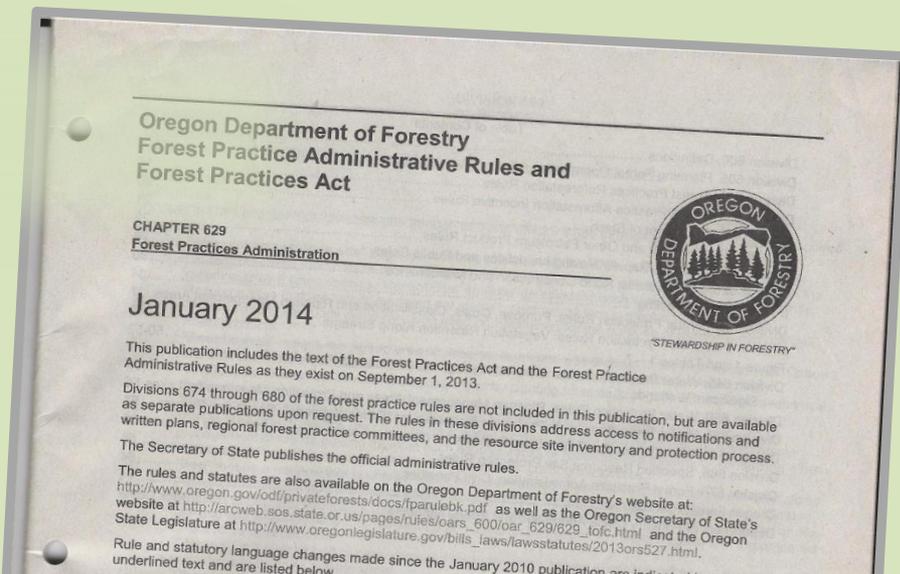


© 2016 Google

Google earth

Standards of Practice for Forest Operations on Private Lands in Oregon

- Statutes inform Rule Making
- Regional Committees Participate



POLICY STATEMENT – IN STATUTE –

ORS 527.630 (1) – “Forests make a vital contribution to Oregon.....

It is declared to be the public policy of the State of Oregon to encourage.....

STANDARDS OF PRACTICE FOR OPERATIONS

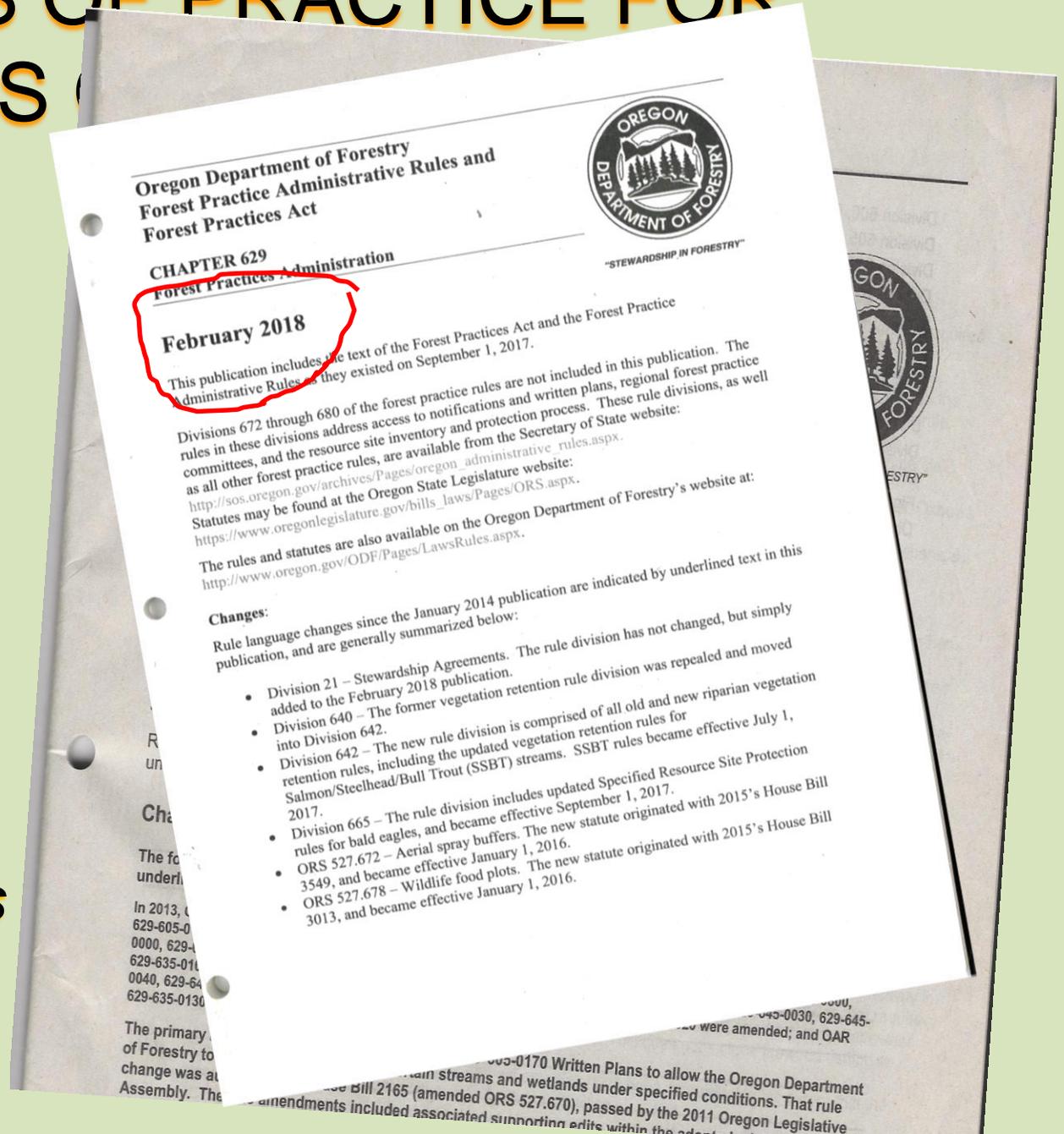
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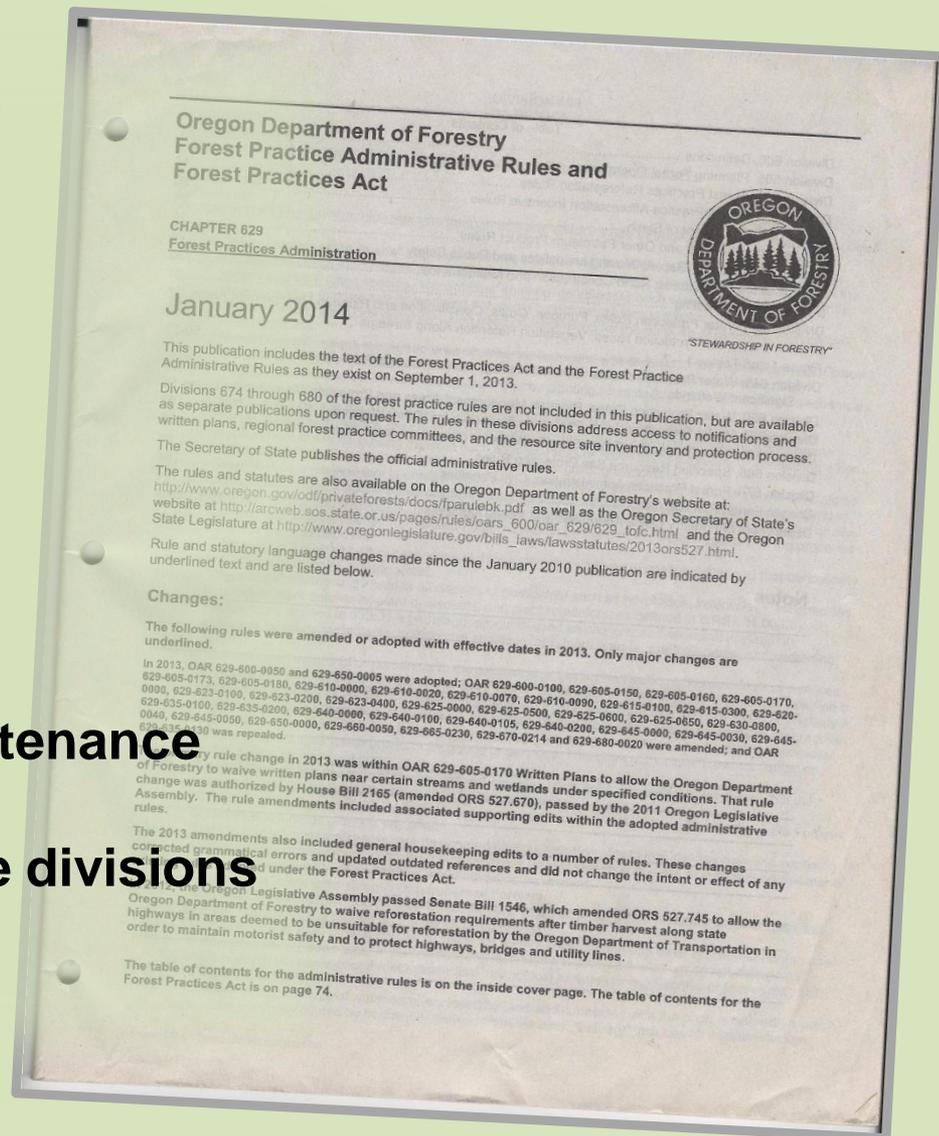


Standards of Practice for Forest Operations on Private Lands in Oregon

- Statutes inform Rule Making
- Regional Committees Participate

Rule Divisions:

- Definitions
- Planning
- Reforestation
- Afforestation
- Treatment of Slash
- Chemicals
- Landslides & Public Safety
- Roads : Construction & Maintenance
- Harvesting
- Water Protection – 6 separate divisions
- Specified Resource Sites
- Civil Penalties



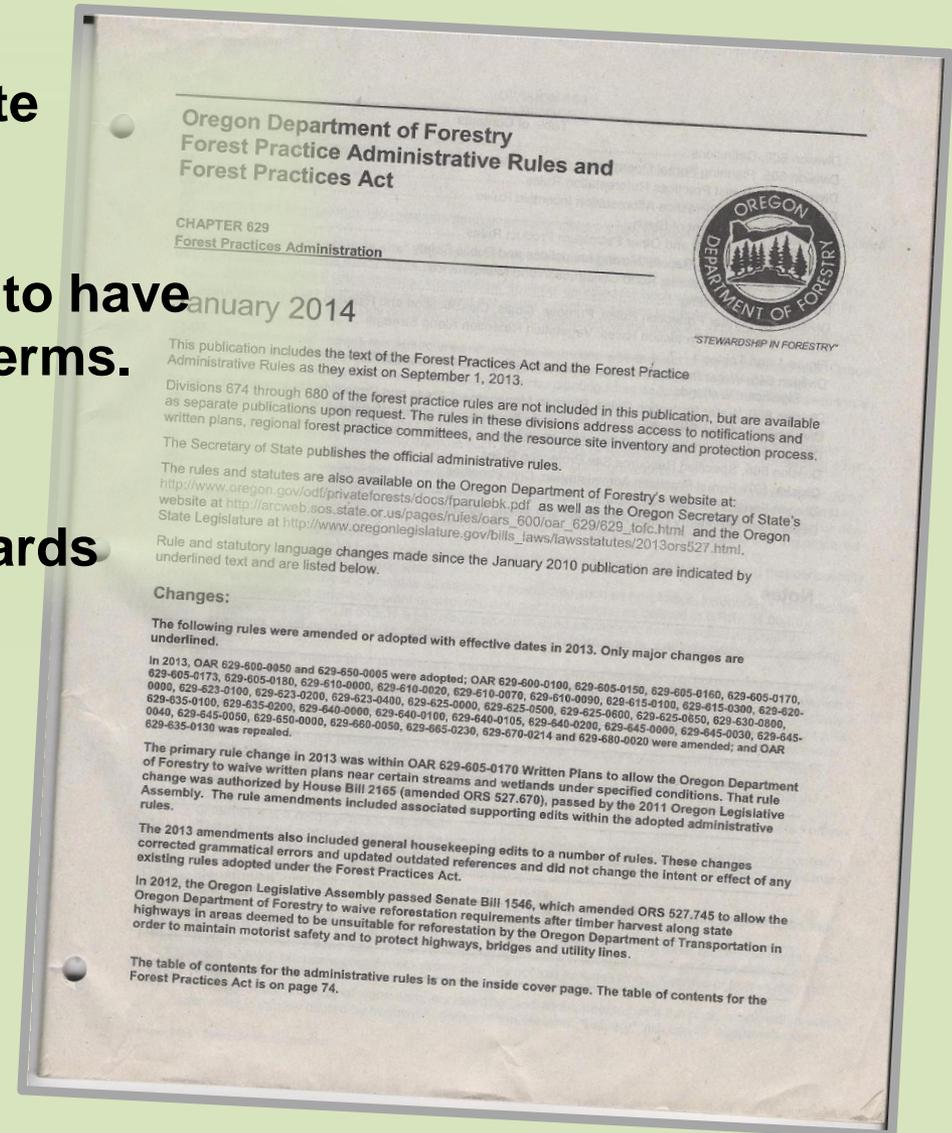
Standards of Practice for Forest Operations on Private Lands in Oregon

- Statutes inform Rule Making
- Regional Committees Participate

Rule Divisions:

- Definitions – It is important to have Clarity and understanding of terms.

Regional Differences in Standards



EFFECTIVE ADMINISTRATION IS A THREE PART PROCESS



EDUCATION

ENGINEERING

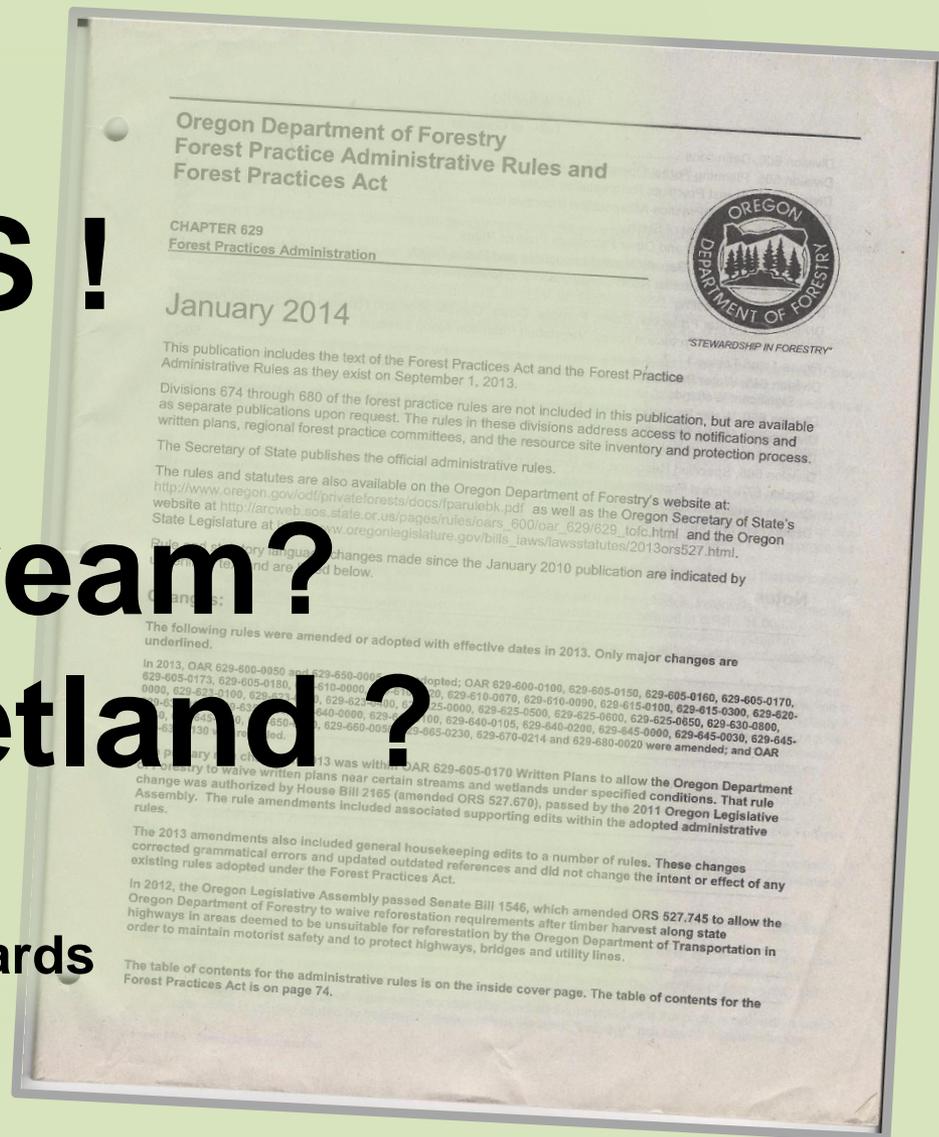
ENFORCEMENT

Standards of Practice for Forest Operations on Private Lands in Oregon

BEGIN WITH DEFINITIONS !

What is a Stream? What is a Wetland?

Regional Differences in Standards



Oregon Department of Forestry
Forest Practice Administrative Rules and
Forest Practices Act

CHAPTER 629
Forest Practices Administration



Division 605 - Planning Forest Operations – pg 11

Rule and statutory language changes made since the January 2010 publication are indicated by underlined text and are listed below.

Changes:

The following rules were amended or adopted with effective dates in 2013. Only major changes are underlined>.

In 2013, OAR 629-600-0050 and 629-650-0005 were adopted; OAR 629-600-0100, 629-605-0150, 629-605-0160, 629-605-0170, 629-605-0173, 629-605-0180, 629-610-0000, 629-610-0020, 629-610-0070, 629-610-0090, 629-615-0100, 629-615-0300, 629-620-0000, 629-623-0100, 629-623-0200, 629-623-0400, 629-625-0000, 629-625-0500, 629-625-0600, 629-625-0650, 629-630-0900, 629-635-0100, 629-635-0200, 629-640-0000, 629-640-0100, 629-640-0105, 629-640-0200, 629-645-0000, 629-645-0030, 629-645-0040, 629-645-0050, 629-650-0000, 629-660-0050, 629-665-0230, 629-670-0214 and 629-680-0020 were amended; and OAR 629-635-0130 was repealed.

The primary rule change in 2013 was within OAR 629-605-0170 Written Plans to allow the Oregon Department of Forestry to waive written plans near certain streams and wetlands under specified conditions. That rule change was authorized by House Bill 2165 (amended ORS 527.670), passed by the 2011 Oregon Legislative Assembly. The rule amendments included associated supporting edits within the adopted administrative rules.

The 2013 amendments also included general housekeeping edits to a number of rules. These changes corrected grammatical errors and updated outdated references and did not change the intent or effect of any existing rules adopted under the Forest Practices Act.

In 2012, the Oregon Legislative Assembly passed Senate Bill 1546, which amended ORS 527.745 to allow the Oregon Department of Forestry to waive reforestation requirements after timber harvest along state highways in areas deemed to be unsuitable for reforestation by the Oregon Department of Transportation in order to maintain motorist safety and to protect highways, bridges and utility lines.

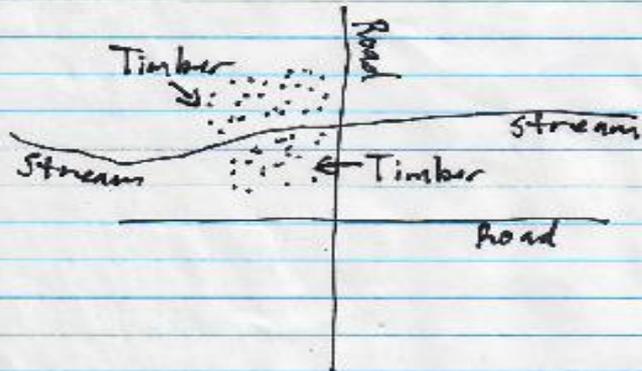
The table of contents for the administrative rules is on the inside cover page. The table of contents for the Forest Practices Act is on page 74.

Cutting Plan for Water Resource Protection

Directional Fall dead + dying trees away from Water Resource

Cable log if necessary to avoid heavy machinery within 20 feet of Water Resource

Remove unnatural slash within 20 feet of Water Resource



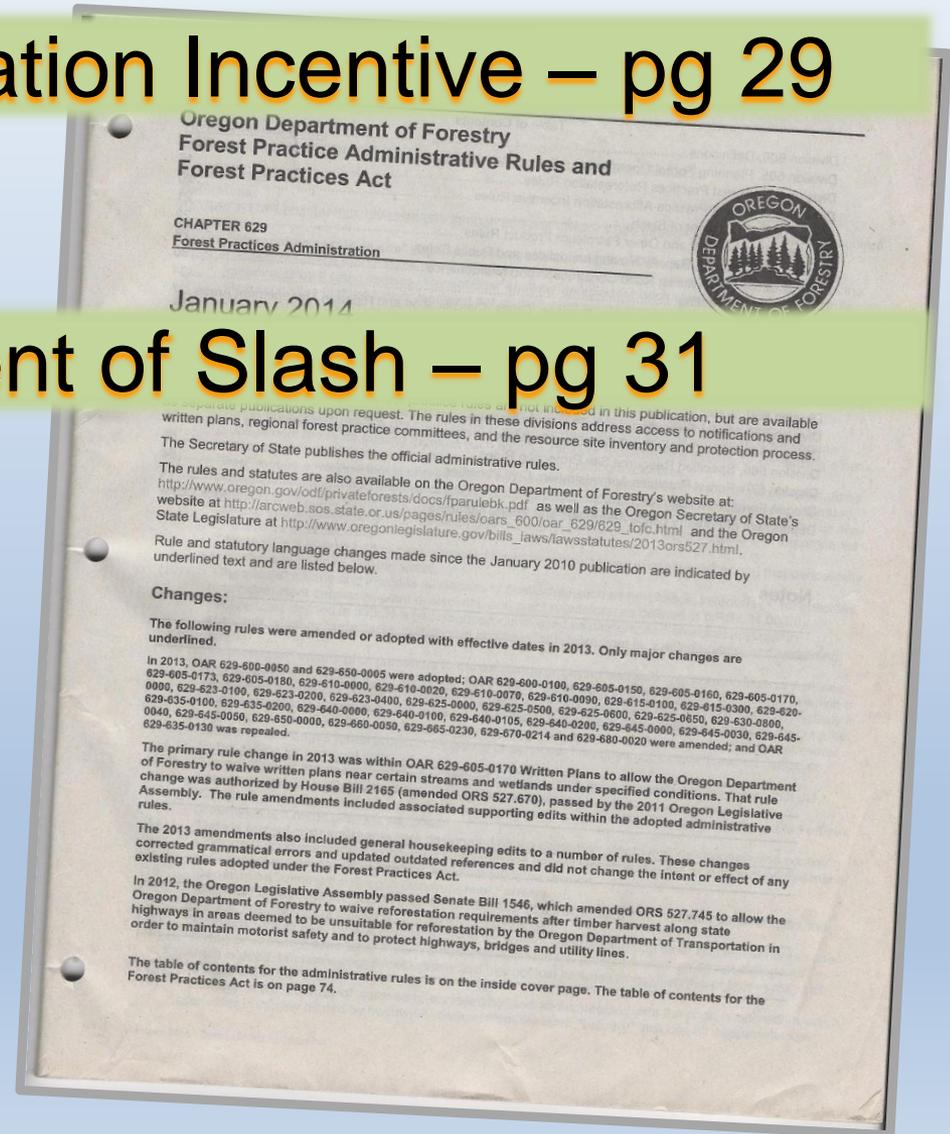
Prior Notification is Required.....
REQUIREMENT FOR PRIOR
NOTIFICATION IS
EXACTLY THAT -
A “ NOTIFICATION OF OPERATION” -
NOT A PERMIT....

Notifications are given unique
Numbers such as “**12 - 781 - 00231**”
>10,000 per year

Division 610 – Reforestation –pg 22

Division 611 – Afforestation Incentive – pg 29

Division 615 – Treatment of Slash – pg 31



Forest Practices Reforestation Rules Division 610



Chemical and Other Petroleum Product Rules Division 620



Landslides & Public Safety

Division 623



Division 630 – Harvesting



Water Protection Rules - Divisions 635, 642, 645, 650, 655, 660





**Forest Road Construction and Maintenance
Division 625**



Specified Resource Site Protection Rules Division 665

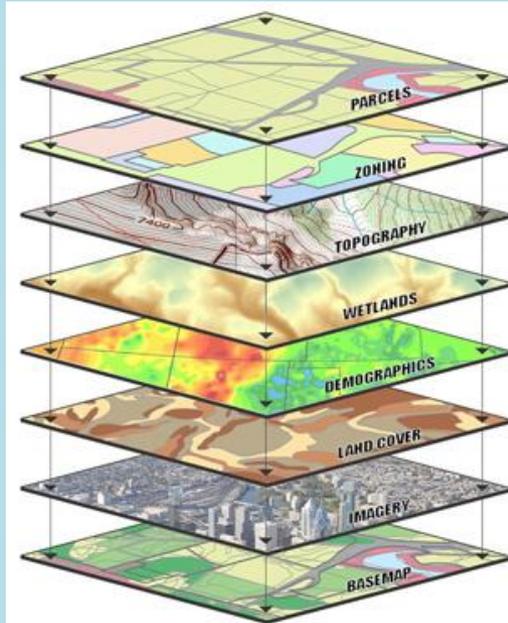
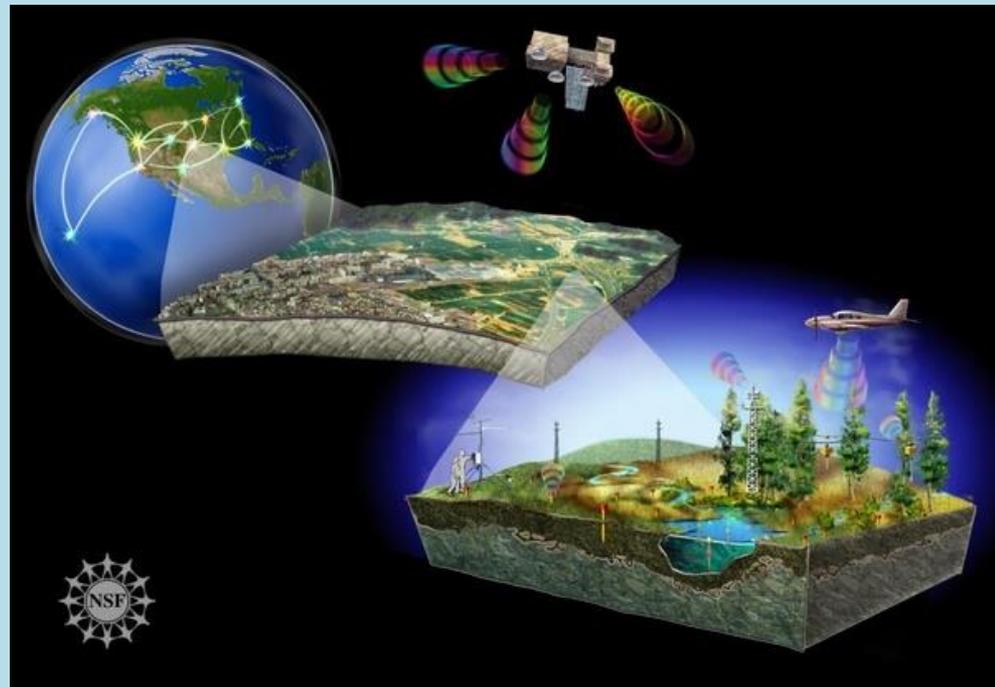
Enforcement & Civil Penalties Division 670





Remote Sensing – Satellites / Airborne Lidar / Infrared

**Technology is
Dynamic !**



GIS DATA LAYERS

Many different types of data can be integrated into a GIS and represented as a map layer.

Examples can include: streets, parcels, zoning, flood zones, client locations, competition, shopping centers, office parks, demographics, etc.

When these layers are drawn on top of one another, undetected spatial trends and relationships often emerge. This allows us to gain insight about relevant characteristics of a location.

GIS DATA MANAGEMENT :

PORTABLE – INTEGRATE ANALYSIS AND UTILITY



PRIVATE FORESTS

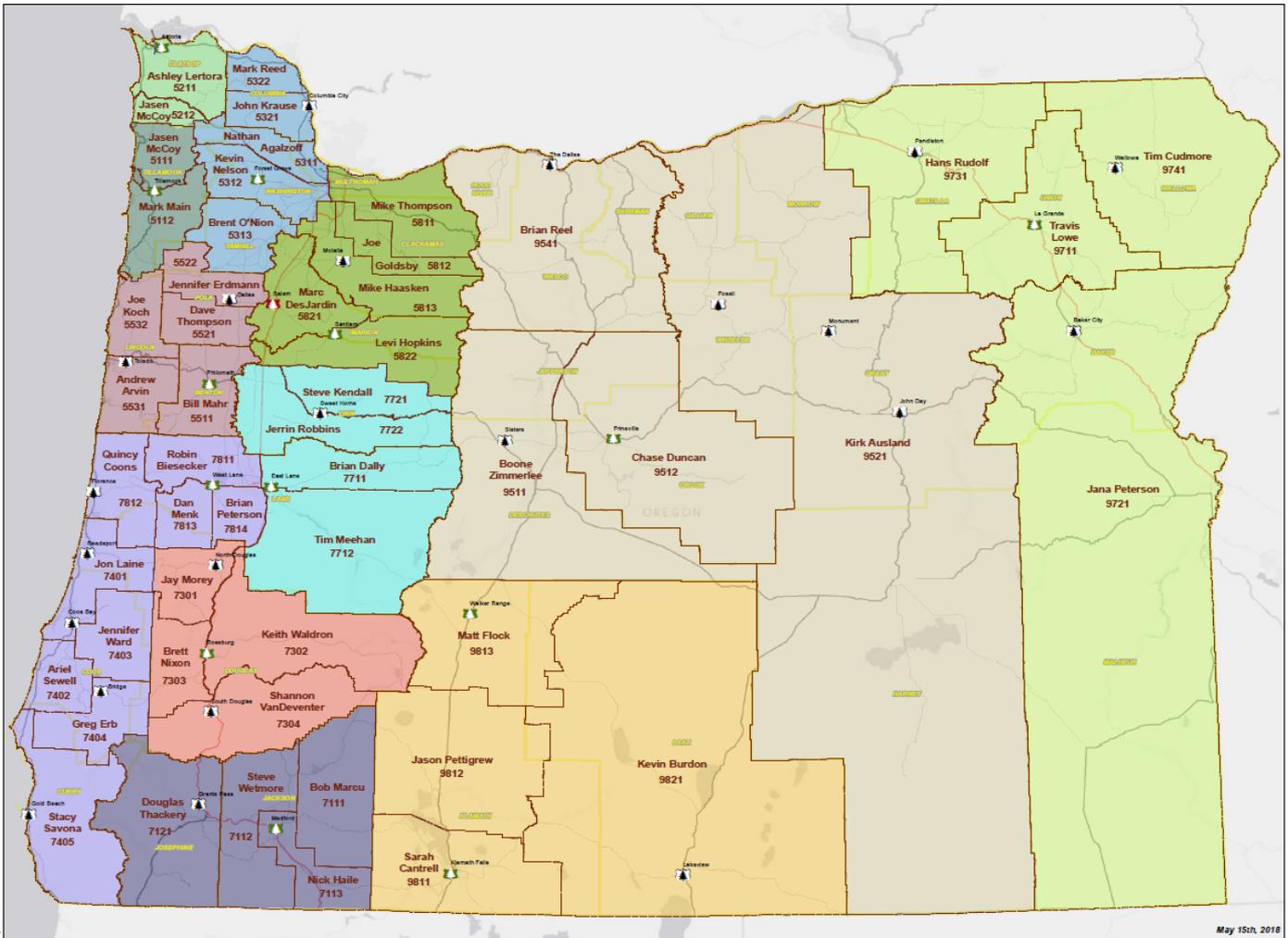
Stewardship Forester Map

Legend

- ODF State Headquarters
- ODF District Headquarters
- ODF Unit Headquarters
- Stewardship Forester Areas
- Private Forest Districts**
- Astoria
- Central Oregon
- Douglas
- Forest Grove
- Klamath-Lake
- North Cascade
- Northeast Oregon
- South Cascade
- Southern Oregon
- Tillamook
- West Oregon
- Western Lane
- Counties
- Highways**
- Interstate
- US Highway
- State Highway



60 Miles



This product is for informational purposes, and may not be suitable for legal, engineering or surveying purposes. This information or data is provided with the understanding that conclusions drawn from such information are the responsibility of the user.



PRIVATE FORESTS

Stewardship Forester Map

Legend



ODF State Headquarters



ODF District Headquarters



ODF Unit Headquarters

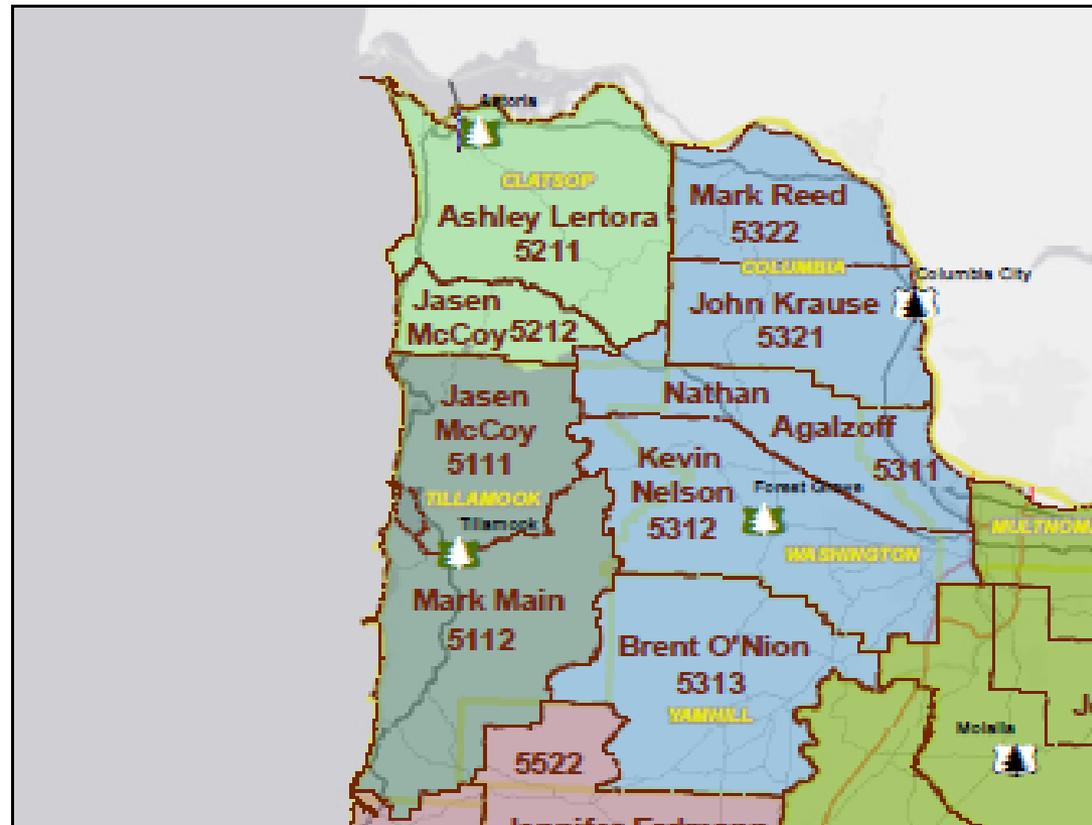


Stewardship Forester Areas

Private Forest Districts



Astoria





PRIVATE FORESTS

Stewardship Forester Map

Legend



ODF State Headquarters



ODF District Headquarters



ODF Unit Headquarters

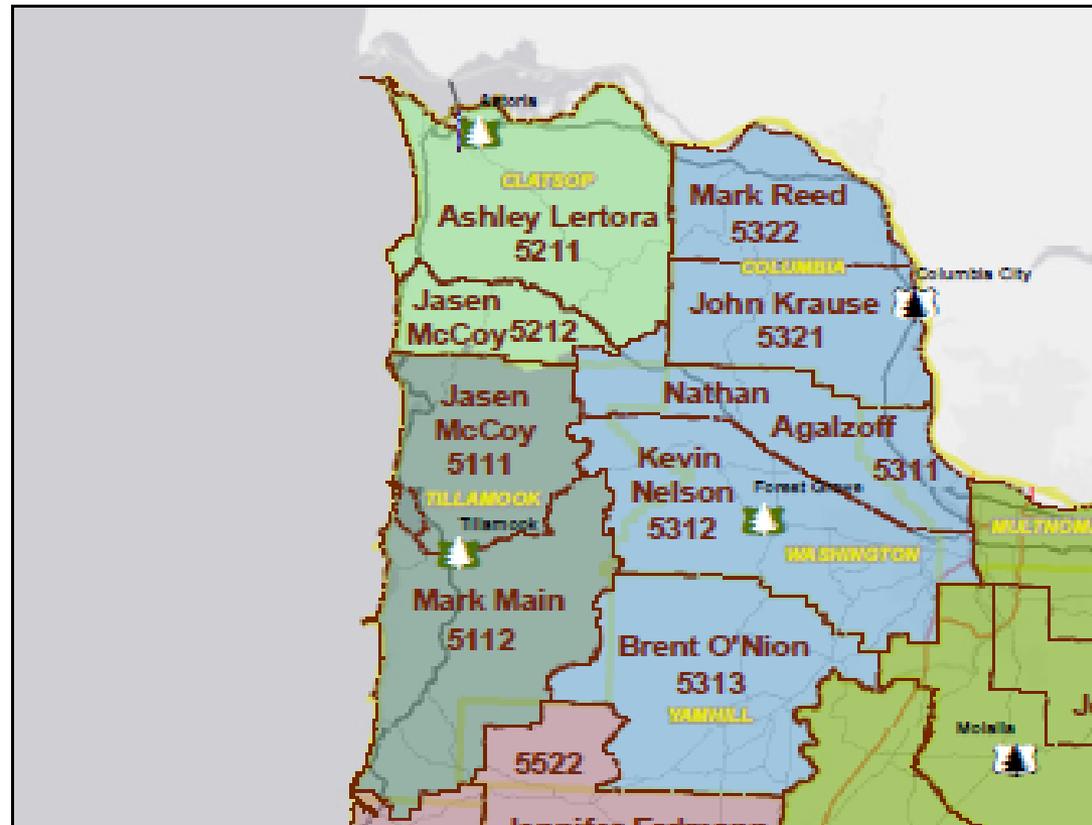


Stewardship Forester Areas

Private Forest Districts



Astoria



OREGON'S FORESTS KEEP CHANGING

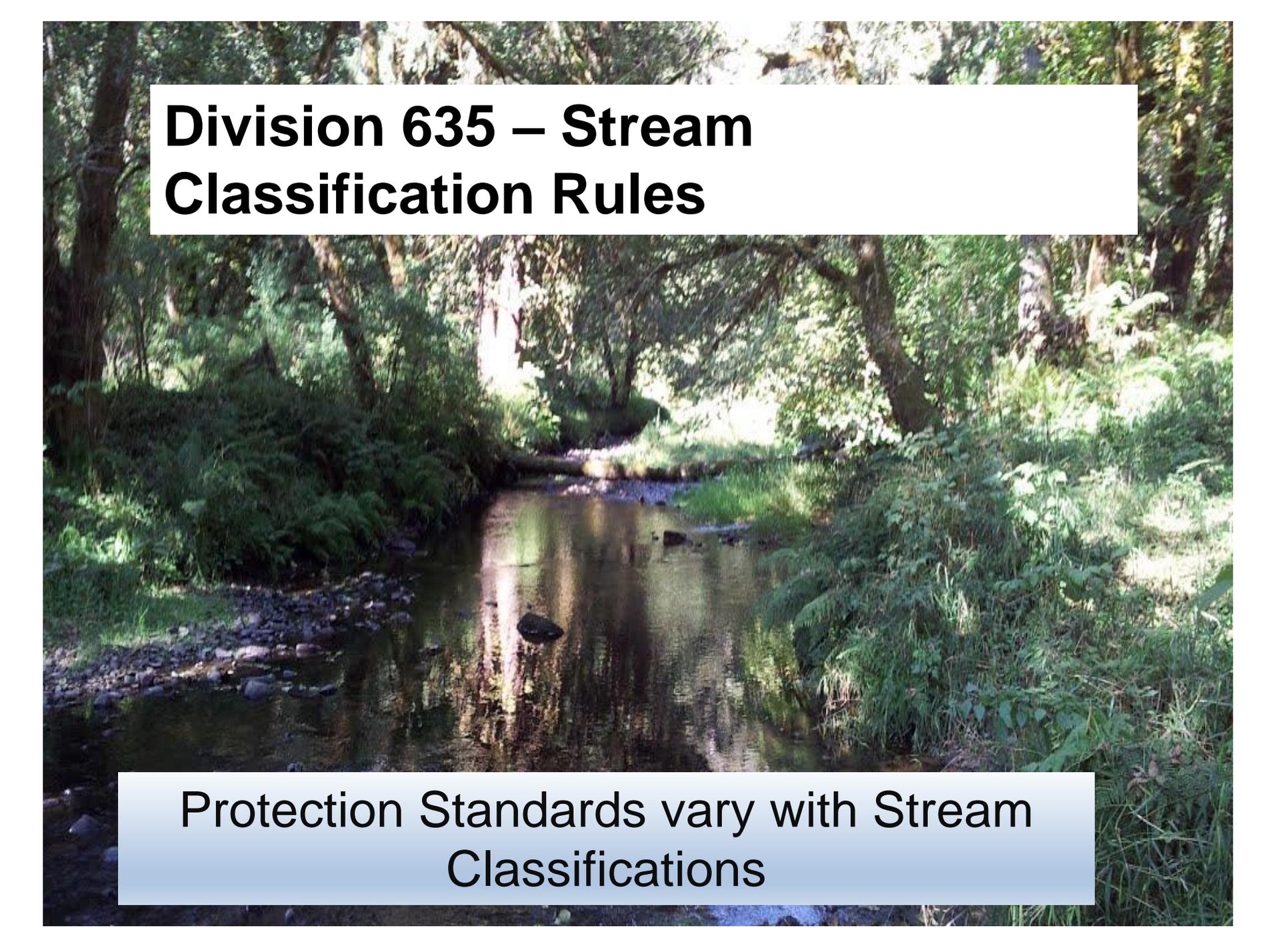
The Forest Practices Act changes also.....



THE FOREST PRACTICES ACT PROVIDES A “ONE-STOP-SHOP”

**DUE TO COORDINATION BETWEEN
THE DEPARTMENT OF FORESTY
AND OTHER AGENCIES WITH SOME
RESPONSIBILITY FOR THE FOREST OR
AQUATIC ENVIRONMENT.**

ODF administers the Act in consideration of the standards of other agencies such as Department of Fish & Wildlife or Department of Environmental Quality.



Division 635 – Stream Classification Rules

Protection Standards vary with Stream
Classifications

Different Rules apply to different aspects of Forest Management

Division 635 – Waters,
Division 640 Water Protection

Division 610 - Reforestation

Division 625 – Forest Roads –
Construction and Maintenance

**ENFORCEMENT
SEE DIVISION 670 (pg 93)**

See Also OAR 629-630-0000-(2) – “Harvesting Operations result in a temporary disturbance to the forest environment”

Why is important to state that?



**Enforcement actions are warranted when Damage occurs
(see OAR 629-670-0010(2) pg. 93**

Could the adverse impact have been avoided by following rules?



Here's a temporary stream crossing site where disturbance was minimized and damage has not occurred, as a result of planning and careful application of the best management practices described in rule specifications.



- **Enforcement actions include**
 - Written Statement of Unsatisfactory Condition –**
(when damage has not occurred)
 - Notice of Violation/Order to Cease Further Violation**
(when damage has occurred)
- **Enforcement actions have avenues for informal resolution, or hearings, and/or appeals.**
- **Enforcement is expensive for the agency, but it is important to provide a level playing field for responsible operators who follow rules.**



OREGON'S FORESTS Are DYNAMIC
The Forest Practices Act changes also.....





Technology Continues To Evolve

Also evolving are
Concepts about
Our relationship with
the environment....



Forest Practices Change over time



The Act is intended to be dynamic, based on science and sound policy

The Forest Practices Act – History – Present – Future

***Evolving, and moving forward....
With evolving Oregon***



Thank You !

